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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 MAX TELECOM OOD,

9 Plaintiff,

10 v.

11 JUNI AMERICA, INC.,

12 Defendant.

C15-2006-TSZ

ORDER

13 THIS MATTER comes before the Court upon plaintiff's Motion for Summary
14 Judgment to recognize its foreign money judgment pursuant to the Uniform Foreign-
15 Country Money Judgments Recognition Act, RCW 6.40A *et seq.* After reviewing
16 plaintiff's motion, to which no opposition was filed, the Court enters the following order.

17 ***Background***

18 In September 2011 plaintiff, a Bulgarian entity, entered into a contract for the
19 provision of goods with defendant, a corporation based in Redmond, Washington.¹ In
20 March 2014 plaintiff commenced an action in Bulgaria for breach of contract against

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22 ¹ The background is taken from the certified translation of the underlying decision of the Bulgarian court.
23 See docket no. 3

1 defendant. The Bulgarian court determined that defendant received adequate notice and
2 service of process and entered judgment (the “Bulgarian Judgment”) against defendant
3 who failed to defend or otherwise appear. The Bulgarian court ordered defendant to pay:
4 (i) \$1,007,349.37 plus statutory interest (comprising \$980,000 in principal and
5 \$27,349.37 in prejudgment interest); and (ii) 94,164.27 Bulgarian lev (“BGN”) plus
6 statutory interest (comprising BGN 30,291.49 for consequential damages, BGN 2,221.70
7 for interest, and BGN 61,651.08 for arbitration expenses). Plaintiff subsequently brought
8 this action to enforce the Bulgarian Judgment.

9 *Analysis*

10 Washington has enacted the Uniform Foreign-Country Money Judgments
11 Recognition Act (the “Act”), which provides for the efficient recognition of money
12 judgments from outside the United States. RCW 6.40A *et seq.* The Act applies to all
13 foreign-country judgments which: (i) grant or deny recovery of a sum of money; and (ii)
14 are final, conclusive, and enforceable in the country where rendered. RCW 6.40A.020.
15 The party seeking recognition of a judgment bears the burden of establishing
16 applicability. *Id.* The Act also provides for a number of compulsory and discretionary
17 grounds for non-recognition, for which the party resisting recognition bears the burden to
18 establish. RCW 6.40A.030.

19 It is clear the Bulgarian Judgment grants a recovery of a sum of money. *See*
20 Bulgarian Judgment, docket no. 3, at 6-9. It is not a judgment for taxes, fine or other
21 penalty, or a judgment for divorce, support, or maintenance. RCW 6.40A.020(2). The
22 Bulgarian Judgment is also final, conclusive and enforceable. *See* Bulgarian Judgment,
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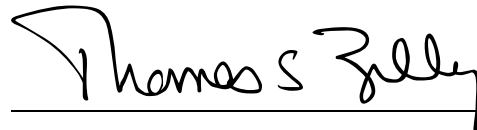
1 docket no. 3, at 1 (“The judgment is final and entered into legal force.”); 9 (“This is a final
2 Judgment; it shall be binding upon the Parties and shall be enforceable.”). Thus, plaintiff
3 has established a prime facie case of recognition. Defendant accordingly bears the
4 burden to prove an exception to recognition. RCW 6.40A.030. As defendant has not
5 appeared in this case, there is no evidence in the record that an exception applies. The
6 Court therefore concludes the Bulgarian Judgment is recognizable under the Act.

7 ***Conclusion***

8 Plaintiff’s motion is GRANTED. Plaintiff is DIRECTED to file with the Court a
9 proposed judgment complying with RCW 6.44.070 by Friday, May 13, 2016.

10 IT IS SO ORDERED.

11 Dated this 26th day of April, 2016.

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14 Thomas S. Zilly
15 United States District Judge
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